

January, 1998

WEST VIRGINIA INFORMATIONAL LETTER

No. 109

**TO: ALL INSURANCE COMPANIES LICENSED TO TRANSACT
ACCIDENT AND SICKNESS BUSINESS IN WEST VIRGINIA
AND OTHER INTERESTED PARTIES**

**RE: SOLICITATION OF MEDICARE SUPPLEMENT POLICIES
TO PERSONS ELIGIBLE BY REASON OF AGE**

It has come to the attention of the West Virginia's Insurance Commissioner's Office that some uncertainty exists regarding the time period in which insurers and their agents selling Medicare Supplement policies may solicit to persons who are eligible for Medicare by reason of age. This Informational Letter serves as notification that no company or agent may write any Medicare Supplement insurance policy to an individual until thirty (30) days prior to the individual's sixty-fifth birthday. Any insurer or its agent who writes Medicare Supplement policy more than the thirty days prior to the applicant's sixty-fifth birthday is engaged in an "unfair, deceptive, misleading or unreasonably confusing act or practice." Consequently, the insurer is in violation of West Virginia Code of State Rules, Title 114, Series 17, Section 8.1. Engaging in such practices may result in penalties imposed in West Virginia Code of State Rules, Title 114, Series 17, Section 11.1.

Any inquiries regarding this letter should be directed, in writing, to Kathleen Beck, Director of Consumer Service Division, West Virginia Insurance Commission, P.O. Box 50540, Charleston, West Virginia 25305-0540.

Hanley C. Clark
Insurance Commissioner